

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-16467

REGULATORY PROJECT MANAGER: Kenny Jaynes

Date: 9/21/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office ☒ Yes
 At the Project Site ☐ No

Date: 09/21/04
 Date: _____

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29 58.37 N & 95 42.59 W

Approximate Size of Site/Property (Including Uplands & In Acres):

Name of Waterway or Watershed:

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									x XXXX
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			XXXXXX		
Is or would be used as habitat by other migratory birds that cross state lines?			XXXXXX		
Is or would be used as habitat for endangered species?					x
Is used to irrigate crops sold in interstate commerce?					x

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved XXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

The site is isolated with no apparent nexus to interstate commerce other than solely the potential use of migratory bird.

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-16296

REGULATORY PROJECT MANAGER: Hudson, Jayson

Date: 31-Aug-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site (Y/N)

Date: 31-Aug-04

Date:

PROJECT LOCATION INFORMATION:

State: Texas
 County: Orange
 Center Coordinates of Site by Latitude & Longitudinal Coordinates: UTM 15 414525E 3340595
 Approximate Size of Site/Property (Including Uplands & In Acres): Unknown
 Name of Waterway or Watershed: Cow Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									x
Slough									XX
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					x
Is or would be used as habitat by other migratory birds that cross state lines?					x
Is or would be used as habitat for endangered species?					x
Is used to irrigate crops sold in interstate commerce?					x

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary XX or Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): No known nexus to interstate commerce.

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-15302

REGULATORY PROJECT MANAGER: Hudson, Jayson

Date: 24-Sep-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site (Y/N)

Date: 24-Sep-04

Date:

PROJECT LOCATION INFORMATION:

State: _____
 County: _____
 Center Coordinates of Site by Latitude & Longitudinal Coordinates: _____
 Approximate Size of Site/Property (Including Uplands & In Acres): _____
 Name of Waterway or Watershed: _____

Texas
 Harris
 UTM 15 248698E 3328575N
 88.5 acres
 Willow Creek Watershead

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									x
River									x
Stream									x
Dry Wash									x
Mud Flat									x
Sand Flat									x
Wetlands	x								
Slough									x
Prairie Pothole									x
Wet Meadow									x
Playa Lake									x
Vernal Pool									x
Natural Pond									x
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					x
Is or would be used as habitat by other migratory birds that cross state lines?					x
Is or would be used as habitat for endangered species?					x
Is used to irrigate crops sold in interstate commerce?					x

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary XX or Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): *No known nexus to interstate commerce*

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D-16092

REGULATORY PROJECT MANAGER: Dwayne Johnson

Date: 9/15/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office XXX (Y/N)
 At the Project (Y/N)

Date: 9/15/2004

Date: _____

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

Approximate Size of Site/Property (Including Uplands & In Acres):

Name of Waterway or Watershed:

Texas

Montgomery

30° 12' 58"N, 95° 46' 06"W

10.2 miles

Spring Creek Watershed

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	XXXXXXXX								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type) D									
Drainage Ditch/Fish ponds									

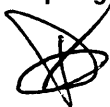
¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXX
Is or would be used as habitat for endangered species?					XXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved Xxxxxxx

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):



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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-16244

REGULATORY PROJECT MANAGER: Jaynes, Kenny

Date: 17-Aug-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y yes
 At the Project Site (Y/N)

Date: 17-Aug-04

Date:

PROJECT LOCATION INFORMATION:

State:
 County:
 Center Coordinates of Site by Latitude & Longitudinal Coordinates:
 Approximate Size of Site/Property (Including Uplands & In Acres):
 Name of Waterway or Watershed:

Texas
 Harris
 UTM Zone 15: 298313E & 3287917 N
 Appx 50-acres

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									XXXXXXXXXX
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XX
Is or would be used as habitat by other migratory birds that cross state lines?					XX
Is or would be used as habitat for endangered species?					XX
Is used to irrigate crops sold in interstate commerce?					XX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary or Approved **XX**

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

See Attached:

File: D-16244

Based upon a review of the Harris County Flood Control Map, (historic and current) U.S.G.S. Quadrangle Maps, National Wetland Inventory Maps, the County Soil Survey, the 1995 DOQQ, and all the data and information provided in your report, we concur that there are not any waters of the United States subject to Section 404 of the Clean Water Act within the project area. There is an upland drainage ditch that transects the site (that runs from southwest to the northeast) that was dug per-1920. An upland drainage ditch is a ditch that was excavated out of uplands and/or does not extend the ordinary high water mark of any waters of the U.S..

The consultant indicates that there are numerous wetland areas within the project site, however, they are not part of a surface tributary system nor adjacent to any waters of the U.S. nor are there any not indications of a nexus to commerce other than the sole use of migratory bird use. As such, these wetlands are not within our jurisdictional realm under Section 404 of the Clean Water Act and a Department of the Army Permit will not be required.

COPY

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: BWG

FILE NUMBER: D 15963

REGULATORY PROJECT MANAGER: A Rea

Date: 09 Aug 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site N (Y/N)

Date: 09 Aug 2004

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

Approximate Size of Site/Property (Including Uplands & In Acres):

Name of Waterway or Watershed:

Texas
Harris
283389 ; 328011
0.14
Wetlands

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					✓
Is or would be used as habitat by other migratory birds that cross state lines?					✓
Is or would be used as habitat for endangered species?					✓
Is used to irrigate crops sold in interstate commerce?					✓

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved ✓

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

COPY

CESWG-PE-RC (1145)

09 August 2004

MEMORANDUM FOR THE FILE

Subject: D-15963; Jurisdictional Determination, Wal-Mart Stores Texas LP,
WM# 3425-00, 24-Acre Tract of Land, Houston, Harris County, Texas

1. Terra-Mar requested, on behalf of Wal-Mart Stores Texas LP, by letter dated 12 April 2004, a jurisdictional determination for a 24-acre of land. The project site is located east of Minnesota Road and west of Rowlett Road in Houston, Harris County, Texas.
2. Based on review of recent and historic maps, 1995 CIR aerial photography, Harris County Soil Survey, National Wetland Inventory Map, Harris County FEMA Map, and the information provided with your request, we have determined that wetlands may exist on the proposed project site. However, they are isolated and have no known nexus to interstate commerce, therefore these wetlands are non-jurisdictional.
3. Based on the findings from the desk review, the proposed site is not jurisdictional under Section 404 of the Clean Water Act. A DA permit will not be required prior to the distribution of dredged or fill material into waters or wetlands of the United States present on this site. This approved determination remains valid for 5 years, unless new information warrants revision prior to that date.



Alicia Rea
Regulatory Specialist

INFORMATION SHEET
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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: SWG

FILE NUMBER: D-15847

REGULATORY PROJECT MANAGER: A. Rea

Date: 20 July 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office yes (Y/N)
 At the Project Site no (Y/N)

Date: 29 June 2004

Date: 22 June 2004

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

Approximate Size of Site/Property (Including Uplands & In Acres):

Name of Waterway or Watershed:

Texas

Harris

5.16 acres

DIA

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									✓
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					✓
Is or would be used as habitat by other migratory birds that cross state lines?					✓
Is or would be used as habitat for endangered species?					✓
Is used to irrigate crops sold in interstate commerce?					✓

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ✓ or Approved _____

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

COPY

CESWG-PE-RC (1145)

20 July 2004

MEMORANDUM FOR THE FILE

Subject: D-15847; Mr. Joseph Carrangs, Jurisdictional Determination, 5.16 Acre Tract of Land, Huffmeister Road and Birdcall Lane, Cypress, Harris County, Texas

1. American Environmental Services, Inc. requested on behalf of Mr. Joseph Carrangs, by letter dated 23 February 2004, a jurisdictional determination for a 5.16-acre tract of land. The project site is located the intersection of Huffmeister Road and Birdcall Lane in Cypress, Harris County, Texas.
2. A desk review was conducted on 29 June 2004, examined in this review were USGS topographical maps, Harris County FEMA Flood Maps, 1995 CIR aerial photographs, Harris County Soil Survey, National Wetland inventory maps and information provided in the request. The NWI indicates wetlands on the site, however, these wetlands appear to be isolated with no known nexus to interstate commerce, therefore are non-jurisdictional. Based on a 22 June 2004 site visit, the site is in a developed area and is bordered Birdcall Lane, a subdivision, and a grocery store. There were no signs of a hydrological connection present on this proposed project site.
3. Based on the findings from the desk review, the proposed site is non-jurisdictional under both Section 404 of the Clean Water Act and Section 10 under the Rivers and Harbors Act. This determination remains valid for 5 years, unless new information warrants revision prior to that date.


Alicia Rea
Regulatory Specialist

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: SWG-PE-RC

FILE NUMBER: D16225

REGULATORY PROJECT MANAGER: Johnson

Date: 7/15/2004

PROJECT REVIEW/DETERMINATION COMPLETED: Y (Y/N) —
 At the Project Site (Y/N)

Date: 7/15/2004

Date:

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29 59 56, 95 34 13

Approximate Size of Site/Property (Including Uplands & In Acres):

98

Name of Waterway or Watershed:

Cypress Creek

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	XXXXX								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXX
Is or would be used as habitat for endangered species?					XXX
Is used to irrigate crops sold in interstate commerce?					XXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary or Approved XXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
 FILE NUMBER:

SWG
D-16239

REGULATORY PROJECT MANAGER:

JAYNES

Date: 1 July 04

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office ☒ (Y/N)

Date: 1 July 04

At the project site ☐ (Y/N) Date: _____

PROJECT LOCATION INFORMATION:

State:

County:

Center coordinates of site by ^{UTM} latitude & longitudinal coordinates:

Approximate size of site/property (including uplands & in acres):

Name of waterway or watershed:

Tx.
Harris
251625E 3327120N
-
-

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									X
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown		
	Yes	No	Use Best Professional Judgment		
			Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary ☐ Or Approved ☒

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Appears outside flood plain - not connect by any surface
trib.

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D-16150

REGULATORY PROJECT MANAGER: Johnson

Date: 8/3/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office XXXXX (Y/N)
 At the Project Site (Y/N)

Date: 8/3/2004

Date: 8/3/2004

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Galveston

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29° 31' 17"N, 95° 04' 46"W

Approximate Size of Site/Property (Including Uplands & In Acres):

4.5

Name of Waterway or Watershed:

Robinson Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									XXXXXX
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXXX
Is or would be used as habitat for endangered species?					XXXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary or Approved XXXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

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COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D4270/01

REGULATORY PROJECT MANAGER: Johnson

Date: 8/9/2004

PROJECT REVIEW/DETERMINATION COMPLETED: Office Yes
 At the Project (Y/N)

Date: 8/9/2004
Date: _____

PROJECT LOCATION INFORMATION:

State: _____
County: _____
Center Coordinates of Site by Latitude & Longitudinal Coordinates: _____
Approximate Size of Site/Property (Including Uplands & In Acres): _____
Name of Waterway or Watershed: _____

Texas
Chambers
29° 46' 17"N, 94° 39' 48"W
Unknown
None

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									XXXXXX
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXXXXX
Is or would be used as habitat for endangered species?					XXXXXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: _____ Preliminary _____ or Approved XXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF PORTLAND COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

COPY

DISTRICT OFFICE: SWG

FILE NUMBER: D-15893

REGULATORY PROJECT MANAGER: A Rea

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site N (Y/N)

Date: 7/27/04

Date: 7/27/04

Date: _____

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

Approximate Size of Site/Property (Including Uplands & In Acres):

Name of Waterway or Watershed:

Texas
Harris
250001 3317878
20 acres
N/A

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									✓
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					✓
Is or would be used as habitat by other migratory birds that cross state lines?					✓
Is or would be used as habitat for endangered species?					✓
Is used to irrigate crops sold in interstate commerce?					

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary L or Approved _____

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

COPY

CESING-PE-RC (1145)

27 July 2004

MEMORANDUM FOR THE FILE

Subject: D-15893; Harris County Public Infrastructure Department, Jurisdictional Determination, Matzke Park, Harris County, Texas

1. Harris County Public Infrastructure Department requested by letter dated 23 March 2004, a jurisdictional determination for improvements to Matzke Park. The project site is located on a 20-acre tract of land at the intersection of Grant Road and Jones Road in Harris County, Texas.
2. A desk review was conducted on 27 July 2004. Examined in this review were USGS topographical maps, Harris County FEMA Flood Plain map, National Wetland Inventories map, Harris County Soil Surveys, and maps provided with the request. This area lies outside of the 100-year flood plain with no hydrological connection to any waters of the United States.
3. Based on the findings from the desk review, the proposed site does not contain waters of the United States, including wetlands, subject to the Corps' jurisdiction. Therefore neither Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act applies.



Alicia Rea
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-15860/(01)

REGULATORY PROJECT MANAGER: Kenny Jaynes

Date: 23-Aug-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y Yes
 At the Project Site _____ (Y/N)

Date: 23-Aug-04

Date: _____

PROJECT LOCATION INFORMATION:

State: _____

County: _____

Center Coordinates of Site by Latitude & Longitudinal Coordinates: _____

Approximate Size of Site/Property (Including Uplands & In Acres): _____

Name of Waterway or Watershed: _____

Texas
Harris
29-2958.8689, 95-9-19.9241

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat				XXXXX					
Wetlands									
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved **XX**

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

*Non-JD per SWANCC & Adjacency determined by
 Regulation (CFR & local policy)*

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-16190

REGULATORY PROJECT MANAGER: Hudson, Jayson JMH

Date: 22-Jul-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site (Y/N)

Date: 22-Jul-04

Date:

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

UTM 15 300491E 3272794N

Approximate Size of Site/Property (Including Uplands & In Acres):

26.57

Name of Waterway or Watershed:

Clear Creek

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

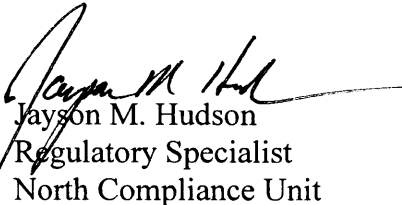
TYPE OF DETERMINATION: Preliminary XX or Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): See Attached Memo

MEMORANDUM FOR THE FILE

SUBJECT: D-16190, Clear Creek ISD, Jurisdictional Determination, Kirby Road and NASA Road 1 Intersection, Pasadena, Harris County, Texas

1. Ms. Sandra Mossmon, requested a jurisdictional determination for the proposed elementary school located on Kirby Road, north of the NASA Road 1 and Kirby Road intersection, in Pasadena, Harris County, Texas. The letter requesting this determination was dated 9 June 2004.
2. A desk review was completed on 22 July 2004. The desk review consisted of an examination of the following information:
 - 1995 U.S.G.S League City topographic quadrangle
 - 1999 League City National Wetland Inventory map (NWI)
 - 1995 Digital Ortho Quarter Quadrangle (DOQQ)-- (League City)
 - The Federal Emergency Management Agency's Flood Insurance Rate Map (Harris County – Panel 1085 of 1135) Map revised on 6 November 1996.
3. The site is located outside of the 100-year floodplain of any known waters of the United States. There are several signatures on the 1995 DOQQ that may be wetlands, but there are not any signatures located on the NWI. There are no apparent hydrological surface connections between the site and a water of the United States.
4. No site visit was conducted.
5. We conclude that there are no waters of the United States, including wetlands, located within the project area. Therefore, the discharge of dredged or fill material on the property, as shown by the boundaries submitted with the request, is not subject to Section 404 of the Clean Water Act and does not require a Department of the Army permit. This preliminary jurisdictional determination is valid for 5 years from the date of the notifying letter unless new information warrants a revision prior to the expiration date.


Jayson M. Hudson
Regulatory Specialist
North Compliance Unit

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D-16413

REGULATORY PROJECT MANAGER: Dwayne Johnson

Date: 9/2/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office XXX (Y/N)
 At the Project (Y/N)

Date: 9/2/2004

Date: _____

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29° 59' 33"N, 95° 29' 19"W

Approximate Size of Site/Property (Including Uplands & In Acres):

14.25

Name of Waterway or Watershed:

White Oak Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands					XXXXXXXX				
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type) D									
Drainage Ditch/Fish ponds									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXXX
Is or would be used as habitat for endangered species?					XXXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved XXXXXXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D-16413

REGULATORY PROJECT MANAGER: Dwayne Johnson

Date: 9/2/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office XXX (Y/N)
 At the Project (Y/N)

Date: 9/2/2004

Date: _____

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Montgomery

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

30° 10' 30"N, 95° 16' 44"W

Approximate Size of Site/Property (Including Uplands & In Acres):

145

Name of Waterway or Watershed:

Dry Creek

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands					XXXXXXXX				
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type) D									
Drainage Ditch/Fish ponds									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXXX
Is or would be used as habitat for endangered species?					XXXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved XXXXXXXX

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

SWG
D-16194

REGULATORY PROJECT MANAGER:

Andrew Williams

Date: 22 September 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office Y (Y/N)

Date: 22 September 2004

At the project site N (Y/N) **Date:** NA

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Brazoria

Center coordinates of site by latitude & longitudinal coordinates:

29 31' 20" N, 95 14' 39" W (NAD27)

Approximate size of site/property (including uplands & in acres):

60 acres

Name of waterway or watershed:

12040204 West Galveston Bay

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary X Or Approved

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

D-15859

Determination of No Jurisdiction

Additional Information Supporting NJD

1. There appears to be one (1) isolated wetland area (wetland G), which is approximately 0.3 acres, and it is located completely within the project area. Several other wetland areas identified in the report appear to be upland drainage ditches.
2. This wetland appears to be depressional and it is located completely outside of the 100 year floodzone. Based on the desk review, there were no obvious surface hydrological connections from the wetland area to any water of the United States.
3. There appears to be about 0.5 acre of wetlands adjacent to Cowart Creek, a tributary to Clear Creek, which is a navigable water of the United States, located on the proposed project site. This is a preliminary jurisdictional determination.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-15878

REGULATORY PROJECT MANAGER: Hoth

Date: _____

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site N (Y/N)

Date: 8/9/2004

Date: _____

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29° 36' 31"N 95° 30' 30"W

Approximate Size of Site/Property (Including Uplands & In Acres):

20-acres

Name of Waterway or Watershed:

Sims Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

D-15878

1. A jurisdictional determination was performed on a 20-acre tract. The tract is located on the west side of Fondren Road and north of Independence Road, in Fort Bend County, Texas.
2. A review of the site was performed on 9 August 2004 and included the collection and investigation of an infrared aerial photograph, a FEMA flood plain map, a USGS topographical map, a National Wetland Inventory map, and the Fort Bend County Soil Survey.
3. Based on our 9 August 2004 review, no waters of the United States, including adjacent wetlands are present within the 20-acre project site. A linear drainage feature is located on the west side of the project site. However, the linear drainage feature is not a water of the United States because it was excavated from uplands and does not extend the ordinary high water mark of a water of the United States. Therefore, it is an upland drainage ditch. If the wetland within the project site is hydrologically connected to the upland drainage ditch to the west, it is not subject to Corps of Engineers jurisdiction because the upland drainage ditch is not a water of the United States. In addition, the project site as well as the wetland within the project site, is not located within the 100-year flood plain of a water of the United States. Therefore, the wetland within the project site is isolated with no known nexus to interstate commerce and as such, is not subject to Corps of Engineers jurisdiction pursuant to Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

SWG
D-15450

REGULATORY PROJECT MANAGER:

Andrew Williams

Date: 26 July 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office Y (Y/N) Date: 26 July 2004

At the project site N (Y/N) Date: 26 July 2004

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center coordinates of site by latitude & longitudinal coordinates:

29° 31' 43"N, 95° 33' 09"W (NAD27)

Approximate size of site/property (including uplands & in acres):

28.9 acres

Name of waterway or watershed:

12070104 Lower Brazos

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands					X				
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary Or Approved X

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

D-15450

Determination of No Jurisdiction

Additional Information Supporting NJD

1. The project area is 28.9 acres and consists of 4 wetland areas. Three (3) of these wetlands are isolated. The three delineated, isolated wetlands total approximately 22.5 acres and they are located completely within the project area.
2. All three isolated wetlands are depressional wetland and they are located completely outside of the 100 year floodzone. Based on the desk review, and site inspection, there were no obvious surface hydrological connections from any of the wetland areas to any water of the United States.
3. There is one (1) adjacent wetland located on the proposed project site and it is 6.4 acres. This is an approved jurisdictional determination.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG

FILE NUMBER: Permit 23235; Determination made under delineation verification D-15382 (prior to NJD Form Requirement)

REGULATORY PROJECT MANAGER: T. Cheryl Jaynes

Date: 28 July 04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 19-Dec-04

Date: 19-Dec-04

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

Approximate Size of Site/Property (Including Uplands & In Acres):

Name of Waterway or Watershed:

Texas

Fort Bend

29 ° 36' 31", 95 ° 38' 53.37"

2,083 acres

Alcorn Bayou and Bullhead Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands		X							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?				X	

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

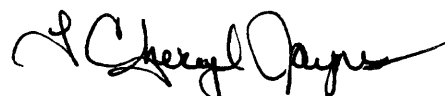
28 July 2004

MEMORANDUM FOR THE FILE

Subject: Support Memo for Determination of No Jurisdiction for Isolated, Non-Navigable, Intra-State Waters (NJD) Form for Permit 23235

A determination was made under delineation verification D-15382 previous to the NJD Form requirement. The information from that determination, made by Regulatory Specialist Glenn Weitknecht, South Unit, Compliance Section is as follows: Jurisdictional Determination, Newland Communities, Southwest Corner of the Intersection of State Highway 6 and U.S. 90A, Sugar Land, Fort Bend County, Texas

1. The total project site is 2,083 acres. Located within the project boundaries are approximately 2 acres of isolated wetlands. None of these wetlands extend off of the subject tract. Project specifics: Place fill into four separate headwater areas (comprising 14 acres) and 2.01 acres of adjacent wetlands during the construction of a 2,083-acre master planned community that will include residential and commercial development, public parks and schools.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States and have no apparent direct surface hydrological connection to a water of the United States. Isolate wetlands with no known nexus to interstate commerce are not waters of the United States and are not subject to Section 404 of the Clean Water Act.
3. 15.90 total acres of jurisdictional waters of the United States, including 13.89 acres of the headwaters of Alcorn, Brown, and Bullhead Bayous and 2.01 acres of adjacent wetlands exist are present on the subject tract.
4. Mitigation: construct a total of 16.2 acres of onsite drainage and detention with wetland shelves. Specifically, a total of 5.9 acres of wetlands with a forebay/micropool design to be established within the new alignment and within the proposed DDS, 10.3 acres of wetland shelf. To compensate for non-jurisdictional habitat impacts, the applicant voluntarily offered to preserve a 20-acre riparian corridor habitat area located offsite, adjacent to the northeastern boundary of the Brazos River and southeast of the Brazos River and US 59 intersection.



T. Cheryl Jaynes
Project Manager

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-15796

REGULATORY PROJECT MANAGER: Glenn Weitknecht

Date: 11-Jul-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 11-Jul-04

Date: 8-Jul-04

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29° 43' 13" 95° 47' 10"

Approximate Size of Site/Property (Including Uplands & In Acres):

13.92

Name of Waterway or Watershed:

Buffalo Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands		≈2							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

MEMORANDUM FOR THE FILE

Subject: D-15796; Jurisdictional Determination, Katy Independent School District, Proposed Elementary School No. 27, North of Fry Road approximately 0.5 Miles West of State Highway 99, Fort Bend County, Texas

1. The total project site is 13.92 acres. Located within the project boundaries are approximately 2 acre of isolated wetlands. None of these wetlands extend off of the subject tract. No project specifics were given with the jurisdictional determination request to ascertain which, if any, of these wetlands are to be filled, but the proposed project is for the Katy ISD to construct a new elementary school.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and have no apparent direct surface hydrological connection to a water of the United States.
3. No waters of the U.S. are present on the subject tract.

ORIGINAL SIGNED BY

Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-16211

REGULATORY PROJECT MANAGER: Glenn Weitknecht

Date: 11-Jul-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 11-Jul-04

Date: 8-Jul-04

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29° 37' 38" 95° 39' 16"

Approximate Size of Site/Property (Including Uplands & In Acres):

Unknown

Name of Waterway or Watershed:

Oyster Creek

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

11 Jul 2004

MEMORANDUM FOR THE FILE

Subject: D-16211; Jurisdictional Determination, Texas Department of Transportation (TxDOT), Sugar Land Regional Airport, Fort Bend County, Texas

1. The total project acreage is unknown. Located within the project boundaries are less than 1 acre of isolated wetlands. None of these wetlands, labeled A thru C in the JD request, extend off of the subject tract. The proposed project is to fill these wetlands to construct additional ramp space and T-hangars for the airport.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and have no apparent direct surface hydrological connection to a water of the United States.
3. Other waters of the United States are present on the subject tract. This JD request dealt specifically with the wetlands labeled A thru C, which were small depressional wetlands in a grassy field area just south of the terminal parking lot, east of State Highway 6.


Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-15493

REGULATORY PROJECT MANAGER: Hoth

Date: 7/16/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site Y (Y/N)

Date: 7/16/2004

Date: 7/16/2004

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Brazoria

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

UTM 15 Easting: 272489 Northing: 3271568

Approximate Size of Site/Property (Including Uplands & In Acres):

9

Name of Waterway or Watershed:

Clear Creek

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved **X**

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

Additional Information: D-15493; Approved Jurisdictional Determination, City of Pearland, Proposed Cullen Road Extension, From F.M. 518 to County Road 89, in Brazoria County, Texas.

1. Quadrant Consultants, Inc. requested on behalf of The City of Pearland, a jurisdictional delineation verification for the proposed Cullen Road Extension, from F.M. 518 to County Road 89, in Brazoria County, Texas. The main goal of this project is to reduce congestion along F.M. 518 by allowing Cullen Road traffic direct access to County Road 89 without using F.M. 518.
2. The project area is outside the 100-year flood plain of a water of the United States and the wetlands on the site do not have a surface hydrologic connection to a water of the United States. As such, the wetlands within the project area are isolated with no known nexus to interstate commerce. The linear drainage feature along Fite Road is manmade upland drainage ditch that does not extend the ordinary high water mark of a water of the United States and is not subject to Corps of Engineers jurisdiction.
3. Based on our 15 July 2004 desk review, no waters of the United States, including adjacent wetlands are present within the project area. As such, working or discharging dredged or fill material within the project area is not subject to Corps of Engineers jurisdiction pursuant to Section 404 of the Clean Water Act and will not require a Department of the Army permit.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-15587

REGULATORY PROJECT MANAGER: Glenn Weitknecht

Date: 11-Jul-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 11-Jul-04

Date: 8-Jul-04

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

29° 36' 58" 95° 30' 49"

Approximate Size of Site/Property (Including Uplands & In Acres):

95

Name of Waterway or Watershed:

Sims Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake						45			
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			≈5						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									
Manmade drainage ditch	<1								

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

MEMORANDUM FOR THE FILE

Subject: D-15587; Jurisdictional Determination, Approximately 95 Acre Buffalo Run Park, City of Missouri City, Fort Bend County, Texas

1. The total project site is 95 acres. Located within the project boundaries is an unknown acreage of isolated wetlands and a small undetermined acreage of adjacent fringe wetlands. None of these wetlands extend off of the subject tract. The proposed project is to construct 6,650 linear feet of multi use recreational trail around the lakes. This trail is to consist of approximately four inches of crushed decomposed granite and be six feet wide.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and have no apparent direct surface hydrological connection to a water of the United States.
3. The northern property boundary is comprised of Sims Bayou and the lakes contain an undetermined amount of adjacent fringe wetland, both of which are waters of the U.S.

Glenn Weitknecht

Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-16287

REGULATORY PROJECT MANAGER: Hoth

Date: 7/1/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site Y (Y/N)

Date: 7/6/2004

Date: 7/7/2004

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Galveston

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

UTM 15 Easting: 299122 Northing: 3264519

Approximate Size of Site/Property (Including Uplands & In Acres):

240 ac.

Name of Waterway or Watershed:

Dickinson bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									X
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved **X**

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

FILE No: D-16287

1. A jurisdictional determination was requested on five sections (A, B, C, D, and E) on the Tuscan Lakes property. The Tuscan Lakes property is located at the intersection of Highway 96 and F.M. 270, Galveston County, Texas.
2. A site visit was conducted to each section on 7 July 2004. During the site visit, it was apparent that the tributary, identified on Sections A, B, and C during the desk review, was intersected by the construction of Highway 96 and F.M. 270. No culverts were placed under the newly constructed roadways to maintain the hydrologic flow of the tributary. As such, these areas no longer function as a tributary to a water of the United States and are no longer subject to Corps of Engineers jurisdiction under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899. No surface hydrologic connections from a wetland area to a water of the United States was observed on all five sections. A desk review indicated that the five sections were not located within the 100-year flood plain of a water of the United States. As such, any wetlands present within the five sections are isolated with no known nexus to interstate commerce.
3. Based on our desk review and site visit, no waters of the United States, including adjacent wetlands are present within the five sections. Any wetland areas present within the five sections are not subject to Corps of Engineers jurisdiction because they are not located within the 100-year flood plain of a water of the United States and they do not have a hydrologic surface connection to a water of the United States. As such, any wetland areas within the five sections are isolated with no known nexus to interstate commerce. Therefore, working or discharging dredged or fill material onto the five sections will not require a Department of the Army permit.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-15964

REGULATORY PROJECT MANAGER: Glenn Weitknecht

Date: 6-Aug-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 6-Aug-04
 Date: 3-Aug-04

PROJECT LOCATION INFORMATION:

State:
 County:
 Center Coordinates of Site by Latitude & Longitudinal Coordinates:
 Approximate Size of Site/Property (Including Uplands & In Acres):
 Name of Waterway or Watershed:

Texas
Fort Bend
UTM Zone 15 226039E 3283118N
34.8
Jones Creek

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands				5.16					
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

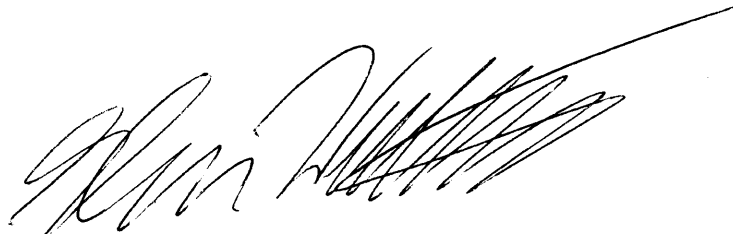
TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

MEMORANDUM FOR THE FILE

Subject: D-15964; Jurisdictional Determination, **Entrix Job No. 1102807 & 1102806**, 5.26-Acre Facility Expansion Project and 29.68-Acre Expansion Project, Near Foster, Fort Bend County, Texas

1. The total project site is 34.8 acres, including both the northern and southern portions of the project. Located within the project boundaries are 5.16 acres of isolated wetlands. None of these wetlands extend off of the subject tract. No project specifics were given with the jurisdictional determination request to ascertain which, if any, of these wetlands are to be filled.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and have no apparent direct surface hydrological connection to a water of the United States.
3. No waters of the U.S. are present on the subject tract.

A handwritten signature in black ink, appearing to read 'Glenn Weitknecht', with a long, sweeping horizontal line extending from the end of the signature.

Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-15494

REGULATORY PROJECT MANAGER: Glenn Waeitknecht

Date: 13-Aug-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 21-Jun-04

Date: 28-Jan-04

21-Jun-04

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

zone 15 241422E 3279808N

Approximate Size of Site/Property (Including Uplands & In Acres):

188

Name of Waterway or Watershed:

Brazos River

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands			4.44						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

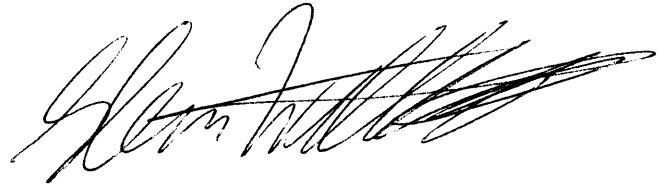
TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

MEMORANDUM FOR THE FILE

Subject: D-15494; Jurisdictional Delineation Verification, Texas Department of Transportation, FM 1464 From FM 1093 to State Highway 99, Fort Bend County, Texas

1. The total project right-of-way is approximately 7.75 miles and 200 feet wide. Located within the project boundaries are approximately 4.5 acres of isolated wetlands. Most of these wetlands extend off of the subject tract. The proposed project is to widen the existing 2 lane road to a four lane road. .
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and have no apparent direct surface hydrological connection to a water of the United States.
3. The project contains 0.44 acre of adjacent wetlands and 0.56 acre of open water, specifically Oyster Creek and Bullhead Bayou

A handwritten signature in black ink, appearing to read 'Glenn Weitknecht', with a long, sweeping horizontal stroke extending to the right.

Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

SWG
D-16236

REGULATORY PROJECT MANAGER:

Andrew Williams

Date: 29 September 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office Y (Y/N)

Date: 29 September 2004

At the project site N (Y/N)

Date: _____

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center coordinates of site by latitude & longitudinal coordinates:

29 37 20 N, 95 31 08 W (NAD27)

Approximate size of site/property (including uplands & in acres):

73 acres

Name of waterway or watershed:

Sims Bayou

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands					X				
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary X **Or** **Approved** ____

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

D-16236

Determination of No Jurisdiction

Additional Information Supporting NJD

1. There appear to be 2 isolated wetlands located within the project boundary (based on the 1999 National Wetland Inventory Map). The total isolated wetland acreage is approximately 15 acres and is located completely within project area.
2. These 2 wetlands are located completely outside of the 100-year floodzone. Based on the desk review, the only possible surface hydrological connection from them to Sims Bayou, the closest water of the United States, is through an apparent upland drainage ditch. The distance from the wetlands to Sims Bayou through the ditch is approximately 4000 feet. Additionally, based on a review of aerial photographs, there appears to be uplands between the potential wetlands and the ditches.
3. No adjacent wetlands are located on the site. This is a preliminary jurisdictional determination.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

SWG
D-16249

REGULATORY PROJECT MANAGER:

Andrew Williams

Date: 26 August 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office N (Y/N)

Date: _____

At the project site Y (Y/N) **Date:** 26 August 2004

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Galveston

Center coordinates of site by latitude & longitudinal coordinates:

29 25 08 N, 94 58 49 W (NAD27)

Approximate size of site/property (including uplands & in acres):

52 acres

Name of waterway or watershed:

Moses Bayou

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands				X					
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

D-16249

Determination of No Jurisdiction

Additional Information Supporting NJD

1. There are 13 isolated wetlands located within the project boundary. The total isolated wetland acreage is approximately 9 acres and is located completely within project area.
2. These 13 wetlands are located completely outside of the 100 year floodzone. Based on the desk review and site visit, there were no obvious surface hydrological connections from them to any water of the United States.
3. 0.27 acre of wetlands adjacent to Moses Bayou are located on the site. This is an approved jurisdictional determination.

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston District

FILE NUMBER: D-16319

REGULATORY PROJECT MANAGER: Glenn Weitknecht

Date: 23-Aug-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y
 At the Project Site Y

Date: 23-Aug-04

Date: 18-Aug-04

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Fort Bend

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

223763E 3297500N zone 15

Approximate Size of Site/Property (Including Uplands & In Acres):

38.9

Name of Waterway or Watershed:

Brazos River Water Shed

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands					10.88				
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved X

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

23 Aug 2004

MEMORANDUM FOR THE FILE

Subject: D-16319; Jurisdictional Determination, River Pointe Church, 92 Acre Tract, Ransom Road, Southeast of City of Richmond, Fort Bend County, Texas

1. The total project site is 38.9 acres. Located within the project boundaries are 10.88 acres of isolated wetlands. This wetland extends off of the subject tract to the southeast. No project specifics were given with the jurisdictional determination request to ascertain which, if any, of these wetlands are to be filled.
2. The wetlands that were determined to be isolated were called so because they are completely outside the 100-year floodplain of a water of the United States, have no known nexus to interstate commerce, and have no apparent direct surface hydrological connection to a water of the United States.
3. No waters of the U.S. are present on the subject tract.

A handwritten signature in black ink, appearing to read 'Glenn Weitknecht', with a long, sweeping horizontal line extending to the right.

Glenn Weitknecht
Regulatory Specialist

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
 RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
 COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

FILE NUMBER:

REGULATORY PROJECT MANAGER:

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site X (Y/N)

Date:

Date:

Date:

PROJECT LOCATION INFORMATION:

State:

County:

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

Approximate Size of Site/Property (Including Uplands & In Acres):

Name of Waterway or Watershed:

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									✓
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors¹:

	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					
Is or would be used as habitat by other migratory birds that cross state lines?					
Is or would be used as habitat for endangered species?					
Is used to irrigate crops sold in interstate commerce?					

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary

or

Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

COPY

CESN/G-PE-RC (1145)

14 July 2004

MEMORANDUM FOR THE FILE

Subject: D-15855; Jurisdictional Determination, Intersection of Old Spanish Trail and Martin Luther King Boulevard, Houston, Harris County, Texas

1. Berg Oliver requested by letter dated 12 March 2004, a jurisdictional determination on a 25 acre tract of land. The project site is located northeast of the intersection of Old Spanish Trail and Martin Luther King Boulevard in Harris County, Texas.
2. A desk review was conducted on 29 June 2004, examined in this review were USGS topographical maps, 1995 CIR aerial photography, National Wetland Inventory map, FEMA Flood Plain map and the information provided with the request. The project site is located on a tract of land adjacent to a channelized portion of Brays Bayou. The site does not contain any waters of the United States, including wetlands subject to the Corps jurisdiction. Therefore, a Department of the Army permit will not be required prior to the deposition of any dredged or fill material into waters of the United States, including wetlands.
3. Based on the findings from the desk review, the proposed site is non-jurisdictional under Section 404 of the Clean Water Act. This preliminary determination remains valid for 5 years, unless new information warrants revision prior to that date.



Alicia Rea
Regulatory Specialist

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: CESWG-PE-RC

FILE NUMBER: D-15873

REGULATORY PROJECT MANAGER: Hudson, Jayson

Date: 23-Sep-04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N)
 At the Project Site Y (Y/N)

Date: 23-Sep-04

Date: 6-Jul-04

PROJECT LOCATION INFORMATION:

State:

Texas

County:

Harris

Center Coordinates of Site by Latitude & Longitudinal Coordinates:

UTM 15 268658E 3280207

Approximate Size of Site/Property (Including Uplands & In Acres):

21

Name of Waterway or Watershed:

Sims Bayou

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									x
River									x
Stream									x
Dry Wash									x
Mud Flat									x
Sand Flat									x
Wetlands		x							
Slough									x
Prairie Pothole									x
Wet Meadow									x
Playa Lake									x
Vernal Pool									x
Natural Pond									x
Other Water (Identify Type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					x
Is or would be used as habitat by other migratory birds that cross state lines?					x
Is or would be used as habitat for endangered species?					x
Is used to irrigate crops sold in interstate commerce?					x

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved Y

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): No known nexus to interstate commerce

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Galveston

FILE NUMBER: D-16351

REGULATORY PROJECT MANAGER: Dwayne Johnson

Date: 9/30/2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office _____ (Y/N)
 At the Project YES (Y/N)

Date: _____
Date: 9/17/04

PROJECT LOCATION INFORMATION:

State: _____
County: _____
Center Coordinates of Site by Latitude & Longitudinal Coordinates: _____
Approximate Size of Site/Property (Including Uplands & In Acres): _____
Name of Waterway or Watershed: _____

Texas
Harris
29° 34' 27"N, 95° 00' 59"W
14
Pine Gully

SITE CONDITIONS:

Type of Aquatic Resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	>50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mud Flat									
Sand Flat									
Wetlands									
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (Identify Type)									
Drainage Ditch/Fish ponds					Borrow pit				

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size for non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					XXXXX
Is or would be used as habitat by other migratory birds that cross state lines?					XXXXX
Is or would be used as habitat for endangered species?					XXXXX
Is used to irrigate crops sold in interstate commerce?					XXXXX

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary _____ or Approved Xxxxxxx

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):